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6 COMMERCIAL CREDIT GROUP INC.

7 **UNITED STATES BANKRUPTCY COURT**
8 **NORTHERN DISTRICT OF CALIFORNIA, SANTA ROSA DIVISION**

9 In re
10 KINGSBOROUGH ATLAS TREE
SURGERY, INC.,
11 Debtor.

Case No. 25-10088
Chapter 11

**APPLICATION FOR ORDER
SHORTENING TIME TO HEAR
MOTION FOR RELIEF FROM THE
AUTOMATIC STAY PURSUANT TO
STIPULATION OF THE PARTIES
REGARDING PERSONAL PROPERTY**

14
15 Pursuant to Local Rule 9006-1, Commercial Credit Group Inc. ("Creditor" or "CCG")
16 applies for an order shortening time to hear its motion for relief from stay pursuant to 11 U.S.C.
17 § 362(d) and its stipulation with debtor in possession KINGSBOROUGH ATLAS TREE
18 SURGERY, INC. ("Debtor"). In addition to stipulating for relief, the Debtor has stipulated and
19 agreed to an order shortening time to hear this motion based on the parties' stipulation, particularly
20 since there is a motion to abandon assets set to be heard on the same date and the next hearing date
21 available is in August. In support of its application, CCG recites as follows:

22 1. On or about February 20, 2025, the Debtor commenced the above-captioned
23 bankruptcy case by the filing of a Chapter 11 petition. The Debtor is the debtor-in-possession.

24 2. Among the assets of the Debtor's bankruptcy estate is: (a) 2020 Bandit 18XP Chipper
25 (Doc. 153); (b) 2010 Bandit 19XP Chipper (Doc. 153); (c) 2020 Vermeer 42" Log Grappeler (Doc.
26 153); (d) 2020 Felling Equipment Trailer (Doc. 153); (e) 2010 Vermeer SC292 Stump Grinder (Doc.
27 153); (f) 2017 Caterpillar 208-D Excavator (Doc. 154); (g) 2017 Rotobec Rotating Grapple
28 Attachment (Doc. 154); (h) 2019 Vermeer CTX (Doc. 154); and (i) a residential customer list (Doc.

1 152) (collectively "Personal Property"). The Personal Property is subject to the senior secured claim
2 of CCG which was in the approximate amount of \$3,237,288.87 on the petition date. Under the
3 terms of CCG's security agreements, the Debtor pledged to CCG, among other things, a security
4 interest in all of the Debtor's personal property assets, including "all accounts, accounts receivable,
5 chattel paper, contract rights, documents, equipment, fixtures, general intangibles, goods,
6 instruments, securities, deposit accounts, investment property and all other property of whatever
7 nature and kind, wherever located...."

8 3. On or about June 11, 2025, the Debtor filed three Notices of Proposed Abandonment
9 of Personal Property, seeking to abandon the Personal Property. The Notices of Proposed
10 Abandonment are set to be heard on July 1, 2025. As provided in the Notices of Abandonment, the
11 amount of CCG's secured claim exceeds the value of the Personal Property. The Personal Property
12 is valued at \$379,400. (Doc. 152-154.)

13 4. In the event the Personal Property is abandoned, the parties have agreed that CCG
14 shall have relief from stay to enforce its state law rights with respect to the Personal Property.

15 5. Pursuant to Local Rule 9006-1, any request to enlarge or shorten time may be made
16 by stipulation or motion. Here, the Debtor has stipulated and consented to an order shortening time
17 since the abandonment of the Personal Property is to occur (if at all) on July 1, 2025. For judicial
18 efficiency purposes, it makes sense to hear the motions on the same date and at the same time.
19 Moreover, the next hearing date on property notice would be in August 2025, and CCG wants to
20 ensure that it may enforce its state law rights in the event the Personal Property is abandoned.

21 **WHEREFORE**, the Creditor requests that this application be granted and for such other
22 and further relief as the Court deems necessary and proper.

23
24 DATED: June 20, 2025

KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD
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25
26 By: 

Gabriel P. Herrera, Attorneys for Creditor,
COMMERCIAL CREDIT GROUP INC.